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Kerala Gazette No. 20 dated 18th May 1982.
PART I

GOVERNMENT OF KERALA

Higher Education (G) Department

PROVISIONAL GRADATION LIST OF TEACHING STAFF (GAZETTED) OF POLYTECHNICS VIZ. JOINT DIRECTOR OF TECHNICAL EDUCATION, DEPUTY DIRECTORS OF TECHNICAL EDUCATION AND PRINCIPALS OF POLYTECHNICS AS ON 31-12-1979

No. 36644/G2/81/H.Edn.

Sl. No.	Name	Date of birth	Qualification General	Qualification Special
(1)	(2)	(3)	(4)	(5)
I.	*Joint Director*			
1.	G. I. Mathew	31-12-1929	Intermediate	B. E. (Civil) I class M.Sc. Engg. (London) D. I. C. (London) Account Test for Executive Officers
II.	*Deputy Directors*			
1.	C. I. Mathew			
2.	George Pettah	15-6-1926	B. Sc. (Hons.)	1. B. Sc. Engg. (Electrical) 2. Account Test for Executive Officers
3.	K. P. Hamza	15-12-1938	P.U.C.	1. B.Sc. Engg. (Civil) 2. Account Test for Executive Officers
4.	C. N. Rajan	17-5-1939	Intermediate	B. Sc. Engg. (mechanical) 2. Account Test for Executive Officers
III.	*Principals of Polytechnics*			
1.	C. I. Mathew			
2.	Ceorge Pettah			

Dated, Trivandrum, 23rd September 1981.

Date of Advice / Date of appointment to the present post	Date of commencement of continuous service		Remarks
(6)	(7)		(8)
17-6-1978	12-8-1955 24-10-1962 4-7-1977 19-6-1978	Lecturer Principal Deputy Director of Technical Education Joint Director	
4-7-1977			O.D. as Joint Director
19-12-1974 6-11-1975	21-2-1952 1-6-1959 19-5-1964 11-7-1964 22-4-1967 1-5-1975 29-3-1976	Instructor Lecturer Head of Section Principal on deputation Principal on regular basis Deputy Director Deputy Director of Technical Education. Absorbed to Govt. Service from Rural Institute, Thavanur, as Principal, Polytechnic as per G.O.Ms. 192/75/H.Edn. dt. 6-11-1975. Appointment regularised as per G.O.Ms. 74/81/H.Edn. dated 12-5-1981	
23-8-1979	31-3-1962 26-3-1976 11-9-1979	Lecturer Principal Deputy Director	
20-10-1962			O. D. as Joint Director
22-4-1967			O. D. as Dy. Director

(1)	(2)	(3)	(4)	(5)
3.	G. G. Salem	12-12-1927	Inter-mediate	B. E. (Mech.) M.S (U.S.A.) Account Test for Executive Officers
4.	S. Ganapathy	11-11-1927	B.Sc.	Diploma M.I.T.
5.	K. P. Hamza	15-12-1938		
6.	C. V. Raghavan Nair	27-1-1939	Inter-mediate	B. Sc. Engg. (Mech.) M.Sc. Engg. (Mech.) Account Test for Executive Officers
7.	C. N. Rajan	17-5-1939	Inter-mediate	B. Sc. Engg. (Mechanical) Account Test for Executive Officers
8.	P. S. Arvindakshan	8-7-1937	B. Sc.	B. Sc. Engg. (Electrical) Account Test for Executive Officers
9.	B. Sreedhara Warrier	23-9-1937	Inter-mediate	B. Sc. Engg. (Electrical)
10.	V. K. Mohammed	1-6-1933	Inter-mediate	B. E. (Hons.) (Civil)
11.	K. S. Sreenivasa Naik	23-2-1937	Inter-mediate	B. Sc. Engg. (Civil)
12.	E. Narayana Iyer	14-8-1937	Inter-mediate	B. Sc. Engg. (Civil) Diploma T. T. Account Test for Executive Officers
13.	V. Krishna Moosad	15-6-1930	S.S.L.C.	Licentiate in Mechanical Engg. Account Test for Executive Officers

(6)	(7)		(8)
22-4-1967	10-3-1952 7-7-1959 7-4-1966 22-4-1967	Instructor Lecturer Head of Section Principal	
23-6-1969	19-9-1952 23-6-1969	Lecturer Principal	
6-11-1975			O. D. as Dy. Director
26-3-1976	6-4-1962 26-3-1976	Superintendent J.T.S. and Head of Section in Polytechnic Principal	
26-3-1976			O. D. as Dy. Director
5-8-1976	1-3-1962 20-8-1976	Head of Section Principal	
12-4-1977	3-2-1962 12-4-1977	Lecturer Principal	
23-6-1977	7-6-1962 23-6-1977	Lecturer Principal	
18-1-1978	2-11-1962 18-1-1978	Lecturer Principal	
18-1-1978	29-3-1963 19-12-1970 23-1-1978 14-6-1978 19-1-1979	Lecturer Head of Section Principal Head of Section Principal	
24-10-1979	8-7-1954 8-2-1958 1-7-1965	Asst. Lecturer Lecturer (Lower grade) Lecturer	

(1)	(2)	(3)	(4)	(5)
14.	N. Ramachandra Pisharady	9-3-1939	Intermediate	B. Sc. Engg. (Civil) Diploma T. T. Account Test for Executive Officers
15.	N. K. Chacko	21-1-1933	Intermediate	B. E. (Mech.) P.W.D. Test Account Test for Executive Officers

(6)	(7)	(8)
24-10-1979	25-3-1963 26-10-1979	Lecturer Special Officer (Principal)
24-10-1979	25-3-1963 24-10-1979	Lecturer Special Officer (Principal)

U. PEER MOHAMMED RAWTHER,
Under Secretary,
For *Spl. Secretary.*

GOVERNMENT OF KERALA

Labour (A) Department

NOTIFICATION

G. O. (Rt.) No. 211/82/LBR. *Dated, Trivandrum, 3rd March 1982.*

The award of the Labour Gourt, Ernakulam in respect of the dispute between Shri P.I. Joseph, Boat Owner, Panakkal House, Secretary, Boat Owners Association, Munambam, P.O. Palliport and their workman represented by the General Secretary, Vypeenkara Fishing Boat Workers Union, Munambam, P.O. Palliport received by Government on 1-3-1982 is hereby published under section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Governor,
P. GOMATHY AMMA,
Deputy Secretary.

In the Labour Court, Ernakulam

Dated this the 25th day of February, 1982

Present:

SHRI N. SUKUMARAN, B. SC., B. L.,
Presiding Officer

In

INDUSTRIAL DISPUTE No. 6 OF 1978

Between

Shri P.I. Joseph, Boat Owner, Panakkal House, Secretary, Boat Owners Association, Munambam, P.O. Palliport.

And

His workman represented by the General Secretary, Vypeenkara Fishing Boat Workers Union, Munambam, P.O. Palliport.

Representations:

Shri K.M. Seyd Mohammed, Advocate, Cochin-2. } For *Management.*

Shri K. Janardhanan, Advocate, Ernakulam. } For *Union.*

AWARD

Justifiability or otherwise of the denial of employment of Shri Nadarajan is the issue referred for adjudication by Government as per G.O. (Rt.) No. 1822/78/L&H dated 29-11-1978.

2. The claims advanced by the Union are as follows:-

Shri Nadarajan working as a permanent Deck hand in the fishing boat owned and managed by Shri P.I. Joseph was denied employment without assigning any reason whatsoever in September 1976 when he had completed five years service. Shri Nadarajan was earning on an average of Rs. 300 in this employment per mensem over and above a daily batta of Rs. 3. The workman, therefore, is entitled to reinstatement with all benefits.

3. The contentions of the Management in its written statement are as follows:-

There is no employer-employee relationship between the boat owner and the crew employed in the fishing boats. It is in the form of a partnership business where the net profits are divided and appropriated by the owner and the crew in the proportionate 65% : 35%. The employees have no fixity of appointment. They come and go at their discription off and on. Fishing by mechanised boats is seasonal and the question as to whether this is a seasonal business is to be decided by Government. The matter has to be referred back to the Government for decision on that aspect. The reference itself is bad as there is no industrial dispute involved. Shri Nadarajan was not continuously working with this Management. The Management had a boat from May 1972. Shri Nadarajan was also occasionally working in it. But that boat was sold in May 1974. All members of the crew including Shri Nadarajan were each paid ex-gratia payment of Rs. 250. Another boat was purchased in June 1975. It was launched for fishing after necessary repairs on the 12th of September 1975. Shri Nadarajan joined as one of the members of the crew in that boat only on the 10th of January 1976. He was not keeping good health and therefore he used to work only 8 to 10 days a month. The boat was sent for fishing to Thiruchandoor where Shri Nadarajan worked for two days. Thereafter he voluntarily abandoned the work. There was no denial of employment. The claim that Shri Nadarajan was earning an average of Rs. 300 per mensem is not true. His average earning was below Rs. 150 per mensem. No batta was paid to the members of the crew. The members of the crew are not workmen. Therefore there is no industrial dispute which could be legally adjudicated.

4. The Union has filed a rejoinder reaffirming its claims and denying the contentions in the written statement.

5. The Management had filed M.P. 99 of 1980 asking me to refer two points involved to the Government for decision. The points are one whether the industry is seasonal or not and (2) whether there is an employer-employee relationship between the boat owner and the boat's crew. That petition was dismissed by me as per my order dated 3rd March 1981. That order is also appended to this award as an "Annexure".

6. The evidence in the case consists of the testimony of WW1, WW2, MWS 1 to 3 and Exts. W1 to W6 and M1 to M5.

7. Most of the facts are admitted. The fishing boat was operated by a crew consisting of six members of whom the syrang is one. Four are Deckmen and the other the Driver. The Syrang is invariably appointed by the owner. The other members work under the instructions of the Syrang. There is no fixed wages for the members of the crew. The expenses are deducted from the price of the catch and the balance is apportioned in the proportion of 65 : 35 between the owner on the first part and the members of the crew on the other. 35% of the amount is divided among them in an agreed proportion. The owner does not go in the boat. There are no fixed hours for the work. No directions are issued by the owner as to where the fishing is to be effected on each day. The Syrang decides the spot where fishing is to be made every day. The duration of the work is also fixed by the members of the crew. If they get a good catch soon they return to the shore with it. If it is a bad day they linger on expecting better fortune.

8. There is a dispute as to whether the batta is being paid or not. According to the Union the members of the crew are paid batta at the rate of Rs. 3 every day. According to the Management there was no such practice. Shri Nadarajan when examined as WW2 swears that he was being paid batta at the rate of Rs. 3 or 5 per day according to the place of work. WW2 the only other witness is the Union Secretary. He says that the batta was only at the rate of Rs 3. MW1 is the boat owner. MWS 2 and 3 are two other boat owners. MW2 initially was a boat driver before he became an owner. These witnesses say that nothing other than the percentage of profit is paid to the workmen. The fact that WW1 states that the batta is more than what is stated in the claim statement in certain cases is an indication to infer that the claim as such is not genuine. In these state of affairs the testimony of the Management's witnesses can be accepted when they say that there is no practice of paying batta. Then the position is that there was no fixed payment to the members of the crew. There was only the sharing of the profit. The question is as to whether there is an employer-employee relationship between the owner and the crew in order to say that a dispute between them can be termed as an industrial dispute as that term is defined in the Industrial Disputes Act (hereinafter referred to as the Act).

9. The definition of the term "employer" appearing in Section 2 (g) of the Act is not exhaustive but inclusive. It only states as to who are the employers in the case of establishments of Central or State Governments and local authorities. So the term "employer" has to be understood as is generally used. What is genarally understood is that an employer is a person who provides work and the persons who are so employed are the employees. The term "employee" is also not defined in the Act. But we have the definition of "workman" which barring the exemptions reads as follows:—

"workman" means any person (including an apprentice) employed in any industry to do any skilled or unskilled, manual, supervisory,

technical or clerical work for hire or reward, whether the terms of employment be expressed or implied, and for the purposes of any proceeding under this Act in relation to an industrial dispute, includes any such person who has been dismissed, discharged or retrenched in connection with, or as a consequence of that dispute or whose dismissal, discharge or, retrenchment has led to that dispute.

The persons employed as deck crew of the fishing boat definitely do skilled manual work and they fall within the above definition. The contention that the operation of fishing boat is not an industry as defined in the Act cannot also successfully be sustained in view of the wording of the definition of that term appearing in sub section (j) of Section 2 which I shall extract:—

"industry" means any business, trade, undertaking, manufacture or calling of employers and includes any calling, service, employment, handicraft or industrial occupation or avocation of workmen.

The main argument is that no fixed wages are paid and there is only a sharing of the profits and therefore it is in the nature of a partnership business where the capital is advanced for providing the boat by the owner and the workmen contribute their share in the form of work and the profits shared proportionately. The definition of wages is given in Section 2 (rr) of the Act. That is as follows —

"wages" means all remuneration capable of being expressed in terms of money, which would, if the terms of employment, expressed or implied, were fulfilled, be payable to a workman, in respect of his employment or of work done in such employment.

(The inclusive part of it is omitted as not relevant in the context).

The above definition does not insist that wages should be a fixed remuneration. The fact that percentage of profit is agreed upon as the remuneration for the workmen does not mean that it falls outside the above definition. The percentage of the profit given to the workmen is their wages as defined in the Act.

10. Now the question is as to whether the members of the crew are employed by the owner. The boat belongs to the owner. One cannot conceive of a situation of a set of crew members appointing themselves and taking charge of the boat without consent and knowledge of the owner. It is admitted that atleast the Syrang, the Chief Executive is appointed by the owner. Even if the other members of the crew are selected and employed by the Syrang it cannot be said that the owner is not their employer. So there is an employer-employee relationship between the owner and the members of the crew. The fact that substitutes are appointed by the Syrang when one or other regular members of the crew is absent does not mean that the members of the crew are not the employees of the owner. So the element of employer-employee relationship is also present. The fact that the owner is not physically present in the boat to supervise the conduct of the workmen and the further fact that the Syrang decides the place of work and hours of

duty cannot also decide the issue as employers need not present themselves to exercise physical control invariably. When that is the position there is an industry and the dispute between the owner and the members of the crew is an industrial dispute. The contention otherwise is only to be negatived and I do so.

11. It is the admitted case that Shri Nadarajan was one of the members of the crew. The Management has a case that he had voluntarily abandoned the work. MW1 swears in support of this case. His case is that the abandonment took place at Thiruchandoor on the Tamilnad coast when the boat was sent there for fishing in July 1976. Ext. M2 is a letter said to have been issued to MW1 by the other workmen of the boat complaining that Shri Nadarajan had left the boat from Thiruchandoor. But the authors of that letter are not examined. The letter itself is dated 11-8-1976 whereas the abandonment is alleged to have taken place on the 18th of July 1976. The persons who are alleged to have written Ext. M2 are more competent to speak about the abandonment and that letter. In the absence of direct evidence the letter and the claim of MW1 cannot be accepted as correct. It is also the admitted case that the Union had launched an agitation about denial of employment to Shri Nadarajan soon after the incident and that that agitation had lasted for a long time. If it is a real case of abandonment and that too voluntarily then there was no necessity or occasion for such a development. So the case of abandonment cannot be accepted when Shri Nadarajan himself has given convincing evidence that he was denied employment. So I hold that there was an unjustifiable denial of employment.

12. Now we are left with the relief to which the workman is entitled. The workman has a case that he had put in five years continuous service. To show that there was no such possibility the Management had produced Exts. M1 and M5. Ext. M1 is a sale deed under which MW1 had purchased a boat in 1975 June. According to MW1 that was the boat from which Shri Nadarajan left. Ext. M5 is said to be the document under which that boat was sold on 1-8-1978. According to MW1 he has no boat thereafter. But the Union's case is that MW1 is still having another boat. MW1 when cross-examined before me had admitted that he had a catch of two thousand rupees on a day a week prior to the date of his examination. He stated further that on that day he had to spend Rs. 2,500 on diesel. But he turned round when questioned which that boat is that he has no boat of his own and he was swearing in relation to his information regarding some other's boat. But that explanation appears far from convincing. He had stated in clear and unambiguous terms that he himself got the catch for which he had spent money. So it has to be assumed that he is still having a boat in operation. There is no document to show that he had sold his earlier boat purchased in 1972 somewhere in 1974 as is claimed. It is admitted that Shri Nadarajan was working in the first boat also. That boat admittedly was acquired in 1972. The denial of employment was in 1976. The claim that the workmen were all retrenched on payment of ex-gratia payments in 1974 is not supported by any document. The solitary evidence of MW1 on

that aspect is not acceptable especially when it is seen that he has no hesitation to deviate from his own statements. So it can safely be held that Shri Nadarajan was under the services of this Management from 1972 to 1976. He was thus in service for four years. It is admitted by WW1 that he had been working in various other boats also prior to joining MW1's boat. He has stated further that he did not think of going to some other boat only because of the pendency of this litigation. There is no case for the Union that it is difficult to secure employment in some other boats. On the other hand the available evidence is to the effect that it is easy for the members of the crew to secure employment in one or other of the several boats available. Shri Nadarajan could very well have secured work in some other boat even in 1976 itself. The relationship between the parties have become strained very much. The members of the crew must be someone in whom the owner has utmost confidence as the owner himself is not supervising them physically. In these state of affairs reinstatement cannot be justified. Compensation will be adequate relief to the workman.

13. There is no concrete evidence regarding the average earnings of a Deckman. The admission of the owner that it will not exceed Rs. 150 a month has to be accepted in the absence of evidence. Shri Nadarajan was in service for four years. A compensation of Rs. 2,500 in lieu of reinstatement will be adequate in the circumstances. I fix that amount as compensation.

14. In the result an award is passed directing the Management to pay Rs. 2,500 (Rupees two thousand and five hundred) as compensation to the workman Shri Nadarajan in lieu of reinstatement. This award shall come into force on the expiry of thirty days from the date of its publication in the Government Gazette.

Ernakulam,
25-2-1982.

N. SUKUMARAN,
Presiding Officer.

Annexure

In the Labour Court, Ernakulam

Dated this the 3rd day of March, 1981

Present:

SHRI N. SUKUMARAN, B. SC., B. L.,

Presiding Officer

In

M.P. No. 99 of 1980

in

I.D. No. 6 of 1978

Shri P.I. Joseph,
Panakkal House, Munambam,
P. O. Palliport } *Petitioner*

By Shri K.M. Seyd Mohammed, Advocate, Cochin-2.

vs.

Vypeenkara Fishing Boat Workers
Union, Munambam,
P.O. Palliport. } *Cr. Petitioner.*

By Shri K. Janardhanan, Advocate, Ernakulam.

ORDER

This petition is filed by the Management involved. The prayer is for referring two points involved in the case for the decision of the Government. It is opposed by the Union.

2. The issue referred for adjudication is "justifiability or otherwise of the denial of employment of Shri Nadarajan." The claim of the Union is that Shri Nadarajan while working as a Deck hand in the mechanised fishing boat of the Management was denied employment from September 1976. The main contention of the Management is that there is no employer-employee relationship between the Boat Owner and the crew engaged for fishing for the reason that the profits are shared in a particular proportion and no wages as such is paid. There is also a contention that there is only seasonal work.

3. The stand taken up by the Management in the present petition is that Government alone can decide the question as to whether a particular industry is seasonal or not. This argument is advanced on the basis of Sec. 25-A of the Industrial Disputes Act. Reliance is also placed on the decision Tata Oil Mills Co. Ltd. v. The workmen of the Kannitta Establishment (1980 K.L.T. 125) in support of this argument.

4. Sec. 25-A of the Industrial Disputes Act appears in Chapter V-A of that Act. That chapter deals with lay off and retrenchment. What is insisted by Sec. 25-A is that Sections 25C to 25E shall not apply to industrial establishments which are of a seasonal character and that questions

arising regarding the character of the industry as seasonal or intermittent has to be decided by the Government. There is also finality to such decisions. Such a decision becomes necessary only for the application of the provisions of Chapter V-A in the matter of lay off and retrenchment. The issue referred here is denial of employment. If as a matter of fact work is seasonal or intermittent then reinstatement will be only to that sort of work. It is unnecessary in the circumstances to refer the matter for the decision of the Government as requested by the Management.

5. The second point on which the Management wants a decision of the Government is the following:—

"Whether there exists any employer-employee relationship between the boat owner and the men engaged for fishing in boats."

There is no provision under which such a controversy can be referred back to the Government when the same is one of the issues to be decided by this Court.

6. The petition fails and is hereby dismissed.

Dictated to the Confidential Assistant, transcribed and typed out by him, corrected by me and declared in open Court on this the 3rd day of March, 1981.

(Sd.)

N. SUKUMARAN,
Presiding Officer.

Appendix

Witnesses examined on the Management's side:

MW1 Shri Joseph
MW2 ,, Kari
MW3 ,, P.T. Paul

Witnesses examined on the Union's side:

WW1 Shri Chandrasekharan
WW2 ,, Nadarajan

Exhibits marked on the Management's side:

Ext. M1. Sale deed executed by Shri Gopalakrishnan in favour of Shri Joseph on 8-6-1975.
,, M2. A letter dated 11-8-1976 from Shri Anandan and three others.
,, M3. Purchase bills of diesel etc.
,, M4. Copy of a statement filed before the Deputy Labour Officer, Cochin on 7-6-1977 by Shri P.I. Joseph.
,, M5. A communication dated 1-8-1978 from Shri Edmund Peters showing the purchase of the fishing boat from Shri P.I. Joseph.

Exhibits marked on the Union's side:

Ext. W1. Copy of a letter dated 8-11-1976 from the Union to the District Labour Officer.

,, W2. Copy of a letter dated 10-12-1976 from the Union to Shri P.I. Joseph.

,, W3. Copy of a letter dated 10-12-1976 from the Union to the Sub Inspector of Police.

,, W4. Copy of a petition dated 18-6-1977 presented before the Chief Minister and others by the Joint Action Council of Fishing Boat Workers' Union.

,, W5. Copy of a memorandum dated 31-7-1978 submitted to the Home Minister of Kerala by the Union.

,, W6. Copy of a memorandum of settlement dated 15-9-1972.

Kerala Gazette No. 20 dated 18th May 1982.
PART I

GOVERNMENT OF KERALA

Labour (A) Department

NOTIFICATION

G.O. (Rt.) No. 315/82/LBR *Dated, Trivandrum, 26th March 1982.*

The award of the Labour Court, Ernakulam in respect of the dispute between the Works Manager, The Travancore Electric Chemical Industries, Ltd., Chingavanam and the workman of the above concern, viz., Shri K.S. Kuttappan, Kochuparambil House, Pappanchira, Sachivothamapuram P.O. via, Chingavanam received by Government on 23-3-1982 is hereby published under section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Governor,
P. GOMATHY AMMA,
Deputy Secretary.

In the Labour Court, Ernakulam
Dated this the 18th day of March, 1982

Present:

SHRI N. SUKUMARAN, B. SC., B. L.,
Presiding Officer

In

INDUSTRIAL DISPUTE No. 324 OF 1979

Between

The Works Manager, The Travancore Electric Chemical Industries Ltd., Chingavanam

And

The workman of the above concern, viz., Sri K.S. Kuttappan, Kochuparambil House, Pappanchira. Sachivothamapuram P.O., via, Chingavanam.

Representations:

Shri Joseph Mackil, Advocate, Kottayam. } For *Management.*

Shri Thomas Rajan, Advocate, Kottayam. } For *Workman,*

G.A. 61/L.

AWARD

The issue referred for adjudication by Government as per G.O. (Rt.) No. 1060/79/L&H dated 26-7-1979 is "Dismissal of Shri K.S. Kuttappan".

II The dismissal was after a domestic enquiry. The Management in its written statement defends its action by saying that there was a valid and proper domestic enquiry. The workman on the other hand while pleading innocence and claiming reinstatement with all benefits attacks the domestic enquiry as one held in violation of all principles of natural justice. In view of the rival contentions the question as to whether there was a valid and proper domestic enquiry was tried as a preliminary issue. I found as per my order dated 17-3-1982 that there was a valid and proper domestic enquiry. The findings were also confirmed by me. Facts necessary for the disposal of the case have been narrated in detail in that order which I shall here extract in full:—

"ORDER

A worker is challenging the correctness of his dismissal. The dismissal was on 28-2-1977. The worker in his claim statement while pleading innocence contends that the domestic enquiry conducted by the Management before effecting his dismissal was held in violation of all principles of natural justice. The Enquiry Officer, according to him, was biased and he was out to give a finding of guilt in favour of the Management in any event. In that attempt he had started the enquiry with the cross-examination of the workman and concluded the enquiry without giving him sufficient opportunity to prove the defence and his innocence. The findings are perverse and the punishment is harsh. He therefore is entitled to the benefit of reinstatement with all benefits.

2. The Management in its written statement defends its action by saying that the workman was found guilty of very serious misconducts meriting the extreme penalty of dismissal as found in a properly and validly conducted domestic enquiry. The Enquiry Officer was fair and impartial. There was sufficient evidence at the enquiry to warrant that finding. The punishment is also proper and sustainable. The workman is not entitled to any benefits whatsoever.

3. A rejoinder is also filed by the workman refuting the contentions and reaffirming his claims.

4. The validity of the domestic enquiry is being tried as a preliminary issue. This is a case where the workman had participated in the enquiry and signed on all the relevant pages of the enquiry papers. Therefore it was conceeded by the learned counsel appearing on behalf of the workman that the validity of the enquiry can be considered and disposed of on admitted facts. The enquiry file marked on such admission is Ext. M1. That is a book maintained by the Management to record the proceedings, deposition of witnesses and findings of Enquiry Officers in domestic enquiries. The record of the enquiry relating to Shri Kuttappan, the workman with whom we are concerned, is contained in pages 94 to 130 of Ext. M1.

5. The first point arising for consideration is as to whether the complaint that principles of natural justice were violated is justifiable. The Management is seen to have served the following charge on the workman. That was on 27-1-1977.

"It has been reported that on 25th January 1977 at about 11.15 p.m. you had come to the main gate of the factory and demanded to be allowed inside for witnessing the variety entertainment programme being staged near the western gate end of the colony. On being refused admittance from the main gate as entry for the performence was restricted via the western gate (colony gate) you got angry and scolded the duty watchman, Mr. K. Narayanan in the most obscene language and threatened to beat him up. On finally being told by the duty time keeper that under no circumstances entry being permitted via the main gate, ultimately you were led away by few other workers.

(i) It is also reported that at the time of the incident you were in a drunken state;

(ii) It has also been reported that earlier on the same day you had threatened to cause physical harm to another workman, Sri R. Radhakrishnan in the factory by showing him a bottleful of arrack in the canteen within the factory premises. You had threatened to beat him with the bottle, failing which you also informed him of your being in possession of a dagger for use;

(iii) Having secured admittance to company premises through the western gate at about 1 a.m. (26-1-1977) you were reported to have picked up a quarrel with another employee, Sri N.J. Thampi near the site of performance of the variety entertainment programme near the guest house (within the factory premises) and manhandled him;

(iv) That apart from entering the factory premises in a drunken state, you further carried a bottle of liquor in a concealed manner and indulged in drinking liquor within Company's premises;

(v) Immediately thereafter you had assaulted the watchman on duty, Mr. K. Narayanan who was patrolling in that area by hitting him on the forehead with a liquor bottle causing grievous injury to the duty watchman who had immediately to be admitted to the hospital."

The workman submitted his explanation in which he practically admitted the charges and prayed for mercy. He stated therein that he consumed some liquor and was in a jovial mood when the Republic Day celebrations conducted under the joint auspices of the Management and the workers was in progress and that he is really sorry for the unpleasant developments. This explanation was not satisfactory to the Management and that is how the disciplinary proceedings were proceeded with.

6. There was a parallel criminal case also for the assault of which mention is made in the charge. It is the admitted case that the prosecution

ended in an acquittal. The judgement in that case is also available among the records.

7. One argument for the workman is that he was found not guilty by the criminal court and that is sufficient indication to infer his innocence. But the prosecution related only to the assault and the other misconducts were not included therein. So the Management is perfectly right in proceeding against the workman regarding the other allegations. Even regarding the subject matter of the prosecution there is no bar for the parallel disciplinary proceedings. So the fact that there was a prosecution which ended in an acquittal is no reason to say that the workman is innocent of all the charges.

8. The main complaint is that the Enquiry Officer started with an elaborate cross-examination of the workman and that had materially affected his interests. The proceedings of the Enquiry Officer on the first sitting is contained at page 97 of Ext. M1. The Enquiry Officer started the enquiry by asking the delinquent as to whether he is guilty of the charges served on him. He answered that he is not guilty of all the charges and went on to elaborate his case wherein also he had admitted most of the allegations including the allegation that he was in a drunken stage. Then the Enquiry Officer asked certain questions in detail. That related to the allegations on which he said he was not guilty. It is not in the form of cross-examination but only questions put to clarify the statement already made. So the allegation that the Enquiry Officer started the enquiry with the cross-examination of the worker is not true. We have to remember that this is a case where the workman had admitted the allegations in his explanation and prayed for mercy. In that background the Enquiry Officer, it appears, wanted to give an opportunity to the workman to explain the position regarding the allegations against him and the admissions made. So the main complaint that the Enquiry Officer attempted to establish the charges by searching cross-examination is not justifiable.

9. Another complaint is that the workman was not given sufficient opportunity to cross-examine the witnesses and to adduce his evidence. These complaints are also baseless as could be seen from the proceeding recorded in Ext. M1. The workman is seen to have cross-examined some of the witnesses. He did not cross-examine some others. There is nothing to show that he wanted to cross-examine those witnesses whom he had not cross-examined. The records show that the workman did not want to cross-examine some of the witnesses only because they were speaking the admitted facts. Therefore it cannot now be legitimately said that the workman was not given an opportunity to cross-examine those witnesses.

10. Another complaint is that the workman was not given a chance to adduce his evidence. There is no record to the effect that the workman was asked to lead evidence. There is also no indication in the record that he stated that he has no evidence. This circumstance is relied on by the learned counsel appearing for the workman to argue that the workman was not given opportunity to adduce evidence. But the conduct adopted by the

workman during the course of the enquiry shows that he did not want to adduce any evidence. We have to remember also the circumstance that he had admitted the charges in his explanation. In these state of affairs he normally would not have thought of adducing any evidence. If as a matter of fact he wanted to adduce evidence then it was open to him to request to the Enquiry Officer that he must be given an opportunity to adduce evidence. He did not do so. So now it cannot be successfully contended that an opportunity to adduce evidence was refused.

11. From what has been stated above it follows that the enquiry was conducted in a fair and impartial manner without violating any of the principles of natural justice.

12. The remaining objection regarding the domestic enquiry is that the findings are perverse. As many as 8 witnesses were examined at the enquiry. They have given convincing evidence regarding the allegations. Their evidence was not successfully challenged in cross-examination. Some of the witnesses who gave concrete evidence regarding the allegations were not cross-examined. The allegations were admitted in the explanation also. In these state of affairs the Enquiry Officer was perfectly correct in coming to the conclusions of the guilt reached by him. The findings cannot, therefore, be characterised as perverse. I confirm the findings as proper and reasonable from the available evidence.

13. In the result it is hereby ordered that the enquiry was properly conducted in accordance with the principles of natural justice. The findings are also confirmed as correct."

III. The only question remaining for consideration is as to whether the workman is entitled to any reliefs in the matter of punishment as per Section 11-A of the Industrial Disputes Act. The learned counsel appearing on behalf of the Management vehemently argued before me that the workman who is found guilty of the misconducts mentioned earlier richly deserves the extreme penalty of dismissal imposed on him. On the other hand the learned counsel appearing on behalf of the workman pleaded before me that the misconduct was committed while celebrations were going on when all were in a jovial mood. It is submitted further that Shri Kuttappan misbehaved while under the influence of liquor and no bad motive could be attributed to his actions. It is in evidence that the Republic Day celebrations were in progress and the incident started and developed suddenly without any premediation. This circumstance has to be taken into account while moulding the reliefs. This is not a case where any act intended to harm the interests of the Management as such was committed. Of course no workman is expected to behave in an unruly manner even during celebrations. Still the extreme penalty in the circumstances is too harsh. Reinstatement of the workman is not likely to cause any heart-burn to the Management as no offence was committed against it. In these state of affairs the workman can be ordered to be reinstated. But he has to undergo some punishment. Loss of back wages will be sufficient punishment

for him. So he is not entitled to back wages. He will be entitled to continuity of service. Reliefs to that extent are granted.

IV. In the result an award is passed directing the Management to reinstate Shri K.S. Kuttappan with continuity of service but without benefits of back wages. Shri Kuttappan will not be entitled to any benefits for the broken period except for the purpose of gratuity or retrenchment as the case may be.

V. This award shall come into force on the expiry of thirty days from the date of its publication in the Government Gazette.

Ernakulam,
18-3-1982.

N. SUKUMARAN,
Presiding Officer.

Appendix

Exhibit marked on the Management's side:

Ext. M1 The book containing the domestic enquiry papers maintained by the Management.

GOVERNMENT OF KERALA

Law (Legislation–Publication) Department

NOTIFICATION

No. 16330/Leg. Pbn.2/81-1/Law. *Dated, Trivandrum, 16th November,* 1981.

The following Act of Parliament, published in a Gazette of India Extraordinary, Part II, Section 1, dated the 19th September, 1981 is hereby republished for general information. The Bill as passed by the Houses of Parliament received the assent of the President on the 19th September, 1981.

By order of the Governor,
K. Viswanathan Nair,
Special Secretary (Law).

THE WORKING JOURNALISTS AND OTHER NEWSPAPER EMPLOYEES (CONDITIONS OF SERVICE) AND MISCELLANEOUS PROVISIONS (AMENDMENT) ACT, 1981

(No. 36 of 1981)

AN

Act

further to amend the Working Journalists and other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955

Be it enacted by Parliament in the Thirty-second Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Working Journalists and other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions (Amendment) Act, 1981.

(2) It shall be deemed to have come into force on the 13th day of August, 1980.

2. *Amendment of section* 2.—In section 2 of the Working Journalists and other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955 (45 of 1955) (hereinafter referred to as the principal Act), in clause (*f*), for the words "who is employed as such in, or in relation to, any newspaper establishment", the words "who is employed as such, either whole-time or part-time, in, or in relation to, one or more newspaper establishments" shall be substituted.

3. *Insertion of new section* 16A.—After section 16 of the principal Act, the following section shall be inserted, namely:—

Employer not to dismiss, discharge, etc,. newspaper employees.—"16A. No employer in relation to a newspaper establishment shall, by reason of his liability for payment of wages to newspaper employees at the rates specified in an order of the Central Government under section 12, or under section 12 read with section 13AA or section 13DD, dismiss, discharge or retrench any newspaper employee.".

4. *Repeal and saving*.—(1) The Working Journalists and other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions (Amendment) Ordinance, 1981 (12 of 1981), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act as amended by this Act.

—



GOVERNMENT OF KERALA

Abstract

PUBLIC SERVICES—KERALA STATE AND SUBORDINATE SERVICES RULES, 1958—AMENDMENTS TO GENERAL RULES, 28 AND 29—ISSUED

GENERAL ADMINISTRATION (RULES) DEPARTMENT

G. O. (P) No. 131/82/GAD. **Dated, Trivandrum, 22nd April, 1982.**

NOTIFICATION

S. R. O. No. 639/82.—In exercise of the powers conferred by subsection (1) of section 2 of the Kerala Public Services Act, 1968 (19 of 1968), read with section 3 thereof, the Government of Kerala hereby make the following amendments to the Kerala State and Subordinate Services Rules, 1958, namely:—

AMENDMENTS

1. (1) These rules may be called the Kerala State and Subordinate Services (Amendment) Rules, 1982.

(2) They shall come into force at once.

2. In Part II of the Kerala State and Subordinate Services Rules, 1958,—

(1) in the Note to sub-clause (7) of clause (i) of sub-rule (b) of rule 28,—

(a) in Note (i), after the penultimate sentence the following shall be inserted, namely:—

"Officers against whom vigilance or departmental proceedings are taken after the charges have *prima facie* been established in a preliminary enquiry should not be included in the select list. But, the cases of such Officers should also be assessed. The question of including them in the select list shall be considered when the result of the enquiry is known. However Officers against whom departmental proceedings are taken for the imposition of a minor penalty may be included in the select list provisionally, if they are found suitable but for the pendency of disciplinary proceedings initiated against them.";

(b) in Note (ii),—

(1) in the first sentence, for the words "or the criminal proceedings/departmental proceedings against him", the words "or the criminal proceedings/departmental proceedings against him for the imposition of a major penalty" shall be inserted;

(ii) the following shall be inserted at the end, namely:—

"If the officers against whom departmental proceedings are taken for imposition of a minor penalty and who have been provisionally included in the select list are fully exonerated of the charges, their cases for promotion on the basis of such inclusion in the select list shall be considered. If the Officers are not fully exonerated of the charges, the Departmental Promotion Committee may decide each case on its own merit.";

(c) for Note (iii), the following Note shall be substituted, namely:—

"(iii) Officers whose names are included in the select list but who are subsequently placed under suspension or against whom criminal proceedings are taken in a sessions court or in any other higher court for grave offences and officers against whom departmental proceedings are taken for the imposition of a major penalty under the disciplinary rules applicable to them, shall not be promoted on the basis of their inclusion in the select list until they are fully exonerated of the charges against them. If the officer is fully exonerated of the charges, he shall be promoted on the basis of his position in the select list to the post which has been filled on a temporary basis pending disposal of the charges against him. If the Officer is not fully exonerated, the Departmental Promotion Committee may consider each case on its own merit. Officers whose names are included in the select list but against whom departmental proceedings for imposing a minor penalty are initiated subsequently, may be promoted on a temporary basis pending disposal of the proceedings against them. If the Officer is fully exonerated of the charges the temporary promotion shall be treated as regular promotion and if the Officer is not fully exonerated of the charges, his case may be considered by the Departmental Promotion Committee on merits.

(iiia) The inclusion of the names of Officers in the select list after decision by the Departmental Promotion Committee on their cases on merits under note (ii) or note (iii) and their consequent promotion shall be subject to further reassessment by the Departmental Promotion Committee on the basis of orders passed in appeal or review. If the Departmental Promotion Committee revises the select list on further reassessment and if by that time the Officer has been promoted on the basis of his inclusion in the earlier select list, the orders promoting the Officer shall be revised in accordance with the revised select list. In such cases the appointment as per the revised order only shall be considered as regular appointment. However, this revision of order of appointment shall be made only if the orders in appeal or review are passed within a period of one year from the date of order of promotion of the Officer. In the case of those who are not included in the select list prepared after reassessment under notes (ii) or (iii) above,

but who are fully exonerated of the charges on appeal or review passed within a period of two years from the date of publication of the select list, a further reassessment shall be made and the select list as well as appointments ordered on the basis of it shall be revised including such officers also in the select list if they are otherwise eligible for inclusion therein";

(d) in Note (v) for the words, brackets and figures "Notes (ii) and (iii), above", the words, brackets and figures "Notes (ii), (iii) and (iiia) above" shall be substituted;

(2) in rule 29, in the first sentence for the words, brackets, and letter "Subjects to the provisions of para (a)" the words, brackets, figures and letters "subject to the provisions of Note (iiia) of sub-clause (7) and para (a)" shall be substituted.

By Order of the Governor,
M. MOHANKUMAR,
Special Secretary.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport).

Government are of the view that:—(i) Officers against whom vigilance or departmental proceedings are taken after the charges have *prima facie* been established in a preliminary enquiry should not be included in the select list and the question of including them in the select list should be considered only when the result of enquiry is known.

(ii) Officers against whom departmental proceedings are taken for the imposition of a minor penalty may be included in the select list only provisionally if they are found suitable but for the pendency of disciplinary proceedings initiated against them. So also officers whose names are included in the select list but against whom departmental proceedings for imposing a minor penalty are initiated subsequently may be promoted only on a temporary basis pending disposal of the proceedings against them. In such cases if the officer is not fully exonerated of the charges his case may be considered by the Departmental Promotion Committee on merits. Rule 28 of the General Rules is proposed to be amended accordingly.

This Notification is intended to achieve the above object.

To

All Heads of Departments and Offices.
All Departments of the Secretariat (All Sections)
The Secretary, Kerala Public Service Commission, (with C. L.)
The Registrar, University of Kerala, Trivandrum ,,
The Registrar, University of Cochin, Cochin ,,
The Registrar, University of Calicut, Calicut ,,
The Registrar, Kerala Agricultural University, Trichur ,,

The Registrar, High Court of Kerala,Ernakulam (with G. L.)
The Secretary, Kerala State Electricity Board Trivandrum ,,
The General Manager, Kerala State Road Transport ,,
Gorporation Trivandrum
The Advocate General, Ernakulam
The Secretary to Governor
All Secretaries, Additional Secretaries, Joint Secretaries, Deputy Secretaries and Under Secretaries to Government.
The Private Secretaries to all Advisers
The General Administration (Services-B) Department
The Under Secretary to Ghief Secretary.
All Recognised Service Associations.

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport C) Department

NOTIFICATION

No. 36820/TC2/81/TF&P. *Dated, Trivandrum, 1st March* 1982.

S. R. O. No. 640/82.—Whereas representations have been received by Government from the Stage Carriage Operator specified in the annexure to this notification, that the vehicle tax for the quarter ended on the 30th September, 1981 and 31st December, 1981 in respect of the stage carriage particulars of which are specified in the said annexure could not be remitted within the prescribed period due to financial strain and that extension of time for payment of vehicle tax in respect of these vehicles may, therefore, be granted;

And whereas, the Government are convinced that circumstances existed that the operators of the said stage carriages could not remit the vehicle tax in respect of the said stage carriages ordinarily kept for use in the State for the quarters ended on the 30th September, 1981 and 31st December, 1981 due to financial strain;

And whereas, the Government are convinced that non-operation of the said stage carriages due to non-payment of tax would have caused great inconvenience to the travelling public;

And whereas, the Government consider it necessary to extend in public interest the time for payment of the vehicle tax for the quarters ended on the 30th September, 1981 and 31st December, 1981 in respect of the said stage carriages;

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that the vehicle tax for the quarters ended on the 30th September, 1981 and 31st December, 1981 in respect of the said stage carriages ordinarily kept for use in the State shall be paid on or before the 31st December, 1981 together with additional tax payable under section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the Notification (5) No. 33942/TC2/75-5/PW.,dated the 29th September, 1975 published as S.R.O. No. 876/75 in the Kerala Gazette Extraordinary No. 572 dated the 29th September, 1975.

ANNEXURE

Sl. No.	*Name of Stage Carriage Operator*	*Registration No. of the Stage Carriage*
(1)	(2)	(3)
1.	Sri V. P. Varghese, Vattikkaparambil House, Edayar P. O., Kothamangalam, Ernakulam.	KRE. 1879
2.	Sri M. A. Nurudeen, Manappurathu House, Nayarambalam, Ernakulam.	KRF. 6959
3.	The Partner, Kumari Jalaja & Company, Lakshmi Vilas, Chullickad, Cochin-5.	KRE. 192 KRE. 4984
4.	Shri E. X. Paily, Etturuthil House, Pachalam, Cochin-23.	KRF. 8510 KRF. 8700
5.	Shri A. J. Norbert, Assariparambil House, Karippalam, Cochin-2., Ernakulam.	KRE. 9050 KLH. 3048
6.	N. A. Subramoniam, Nayikkanaparambil, Edavanakkad, Ernakulam.	KLP. 5621
7.	Shri T. A. Xaiver, Thattassery House, Palluruthy, Cochin.	KRF. 1129 KLE. 4917
8.	Shri K. V. John, Kokkattu House, Mamala, Ernakulam.	KLE. 5736 KLE. 8556
9.	Shri V. M. Thomas, C/o N. B. Pillai, 16/48-7, Q.R. Road, Karivelippadi Cochin.	KRE. 8036

(1)	(2)	(3)
10.	Shri K. A. Thomas, Karikkassery House, Koonammavu, Ernakulam.	KRE. 6190
11.	Sri K. C. David, Kodiveedu, Cochin, Ernakulam.	KRE. 3399
12.	Shri N. C. Varghese, Valiya Veettil Transport, Palliport P. O., Ernakulam.	KRK. 4426
13.	Shri C. K. Aravindakshan, Kalliyamparambil, Ayyappankavu, Cochin.	KLP. 5234
14.	Shri Thomas, Molayil House, Vengola, Perumbavoor, Ernakulam.	KLE. 7927
15.	Jacob Mathew, Baby Villa Building, Thoppumpady, Cochin.	KLF. 523

By order of the Governor,
P. SANKARAN NAIR,
Additional Secretary.

Explanatory Note

(This is not part of the notification, but is intended to indicate the main purpose of the issue of the notification.)

Government have received certain representations from the Stage Carriage Operators as shown in the annexure requesting extension of time for payment of vehicle tax for the quarters ended 30th September, 1981 and 31st December 1981 due to financial strain;

Government are convinced of the position and in public interest, grant extension of time for payment of tax as otherwise these vehicles might be put out of operation for non-payment of tax causing great inconvenience to the travelling public.

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport-G) Department

NOTIFICATION

No. 33522/TG2/81/TF&P *Dated, Trivandrum, 25th January,* 1982.

S. R. O. No. 641/82.—Whereas representations have been received by Government from the Stage Carriage Operators specified in the annexure to this notification, that the vehicle tax for the quarters ended on the 30th September, 1981 and 31st December, 1981 in respect of the Stage Carriages particulars of which are specified in the said annexure could not be remitted within the prescribed period due to financial strain and that extension of time for payment of vehicle tax in respect of these vehicles may, therefore, be granted ;

And whereas, the Government are convinced that circumstances existed that the operators of the said stage carriages could not remit the vehicle tax in respect of the said stage carriages ordinarily kept for use in the State for the quarters ended on the 30th September, 1981 and 31st December, 1981 due to financial strain ;

And whereas, the Government are convinced that non-operation of the said stage carriages due to non-payment of tax would have caused great inconvenience to the travelling public ;

And whereas, the Government consider it necessary to extend in public interest the time for payment of the vehicle tax for the quarters ended on the 30th September, 1981 and 31st December, 1981 in respect of the said stage carriages ;

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that the vehicle tax for the quarters ended on the 30th September, 1981 and 31st December, 1981 in respect of the said stage carriages ordinarily kept for use in the State shall be paid within two weeks from 1st November, 1981 together with additional tax payable under section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the Notification (5) No. 33942/TG2/75-5/PW. dated the 29th September, 1975 published as S. R. O No. 876/75 in the Kerala Gazette Extraordinary No. 572 dated the 29th September, 1975.

ANNEXURE

Sl. No.	Name of Stage Carriage Operator	Registration No. of the Stage Carriage
1	Sri P. Radhakrishnan, Chalakudy	KRE 4855
2	Smt. Annie Olivero, Cochin	KLF 5785
3	Sri M. S. Raveendranathan Pillai, Ernakulam	KLF 3517
4	C. K. Aravindakshan, Cochin	KLP 5234
5	Sri M. V. Thomas, Ernakulam	KLE 7927
6	Sri K. M. Jose, Trichur	KLO 3089
7	Sri V. P. Varghese, Koothattukulam	KRE 1879
8	Sri Sunny Paulose, Ernakulam	KRF 8330

By order of the Governor,

P. SANKARAN NAIR,

Additional Secretary.

Explanatory Note

(This is not part of the notification, but is intended to indicate the main purpose of the issue of the notification.)

Government have received certain representations from the Stage Carriage Operators as shown in the annexure requesting extension of time for payment of vehicle tax for the quarters ended 30th September, 1981 and 31st December, 1981 due to financial strain;

Government are convinced of the position and in public interest, grant extension of time for payment of tax as otherwise these vehicles might be put out of operation for non-payment of tax causing great inconvenience to the travelling public.

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport C) Department

NOTIFICATION

No. 26778/TC2/81/TF&P. *Dated, Trivandrum, 18th November* 1981.

S. R. O. No. 642/82.—Whereas representation has been received by Government from the Stage Carriage Operator Smt. P. Lakshmi Pillai Amma, Thoppil Veedu, Chavara that the arrears of vehicle tax for the quarters ended on the 30th June, 1981 and 30th September, 1981 in respect of the Stage Carriage bearing Registration No. KLU 1729 could not be remitted within the prescribed period due to financial strain and that she may be permitted to remit the arrears of vehicle tax in instalments of Rs. 1000 (Rupees one thousand) only.

And whereas, the Government are convinced that circumstances existed that the operator of the said stage carriage could not remit the arrears of vehicle tax in respect of the said stage carriage ordinarily kept for use in the State for the quarters ended on the 30th June, 1981 and 30th September, 1981 due to financial strain;

And whereas, the Government are convinced that non-operation of the said stage carriage due to non-payment of tax would cause great inconvenience to the travelling public;

And whereas, the Government consider it necessary in public interest permit the Operator of the said stage carriage to remit the arrears of vehicle tax for the quarters ended on the 30th June, 1981 and 30th September, 1981 in monthly instalments;

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that the arrears of vehicle tax for the quarters ended on the 30th June, 1981 and 30th September, 1981 in respect of the said stage carriage ordinarily kept for use in the State shall be paid in consecutive monthly instalments of Rs. 2000 (Rupees two thousand) each, the first instalments being payable on or before the 30th September, 1981 together with additional tax payable under section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the notification (5) No. 33942/TC2/75-5/PW. dated the 29th September, 1975 published as S. R. O. No. 876/75 in the Kerala Gazette Extraordinary No. 572 dated the 29th September, 1975.

By order of the Governor,
P. Sankaran Nair,
Additional Secretary.

Explanatory Note

(This is not part of the notification, but is intended to indicate the main purpose of the issue of the notification.)

Government have received representation from the Stage Carriage Operator Smt. P. Lakshmi Pillai Amma, Thoppil Veedu, Chavara requesting permission to remit the arrears of vehicle tax for the quarters ended 30th June, 1981 and 30th September, 1981 in instalments due to financial strain;

Government are convinced of the position and in public interest, gran permission to remit the arrears of the vehicle tax in instalments as otherwiset this vehicle might be put out of operation for non-payment of tax causing great inconvenience to the travelling public.

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport-C) Department

NOTIFICATION

No. 36819/TG2/81/TF&P. *Dated, Trivandrum*, 1*st March* 1982.

S. R. O. No. 643/82.—Whereas representations have been received by Government from the Stage Carriage Operators specified in the Annexure to this notification, that the vehicle tax for the quarter ended on the 30th September, 1981 and 31st December, 1981 in respect of the Stage Garriages particulars of which are specified in the said annexure could not be remitted within the prescribed period due to financial strain and that extension of time for payment of vehicle tax in respect of these vehicles may, therefore, be granted ;

And whereas, the Government are convinced that circumstances existed that the operators of the said stage carriages could not remit the vehicle tax in respect of the said stage carriages ordinarily kept for use in the State for the quarter ended on the 30th September, 1981 and 31st December, 1981 due to financial strain;

And whereas, the Government are convinced that non-operation of the said stage carriage due to non-payment of tax would have caused great inconvenience to the travelling public ;

And whereas, the Government consider it necessary to extend in public interest, the time for payment of the vehicle tax for the quarter ended on the 30th September 1981 and 31st December, 1981 in respect of the said stage carriages ;

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that the vehicle tax for the quarter ended on the 30th September 1981 and 31st December, 1981 in respect of the said stage carriages ordinarily kept for use in the State shall be paid on or before the 15th December, 1981 together with additional tax payable under Section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the Notification (5) No. 33942/TC2/75-5/PW dated the 29th September, 1975 published as S. R. O. No. 876/75 in the Kerala Gazette Extraordinary No. 572 dated the 29th Septemher, 1975.

ANNEXURE

Sl. No.	Name of Stage Carriage Operator	Registration No. of the Stage Carriage
1	Sri M. V. Thomas, Molayil Veedu, Vengola, Ernakulam	KLE. 7927
2	Sri M. S. Raveendranathan Pillai, Kazhkkmankoil House, Manjummel, Cochin	KLF. 3517
3	Sri C. K. Aravindakshan, Kalliya Parammbil Veedu, Ayyappankavu, Cochin	KLP. 5234

By order of the Governor,
P. SANKARAN NAIR,
Additional Secretary.

Explanatory Note

(This is not part of the notification, but is intended to indicate the main purpose of the issue of the notification).

Government have received certain representations from the Stage Carriage Operators as shown in the annexure requesting extension of time for payment of vehicle t x for the quarter ended 30th September, 1981 and 31st December, 1981 due to financial strain;

Government are convinced of the position and in public interest, grant extension of time for payment of tax as otherwise these vehicles might be put out of operation for non-payment of tax causing great inconvenience to the travelling public.

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport-B) Department

NOTIFICATION

G. O. Rt. No. 366/82/TF&P. *Dated, Trivandrum, 24th April* 1982.

S.R.O. No. 644/82.—Whereas the Director, Little Flower Hospital, Angamaly has obtained a vehicle by way of donation, the details of which are hereunder given, for the purpose of plying it as a mobile Eye Unit;

And whereas, the overhang of the vehicle exceeds the limit prescribed under sub-rule (2) of rule 268, of the Kerala Motor Vehicles Rules, 1961 ;

And whereas, the Government of Kerala are satisfied that the said vehicle can conveniently be used as an omnibus with such excess measurement;

Now, therefore, in exercise of the powers conferred by rule 368 of the Kerala Motor Vehicles Rules, 1961, the Government of Kerala hereby exempt the said vehicle from the provisions of sub-rule (2) of rule 268 of the said Rules:

Details of the Vehicle

Model.—LP1210E/32 Complete minibus
Engine No.—692 D03 114249
Chassis No.—344 059 107600
Overall width—245 centi metres
Overall length—640 centi metres
Overall height—320 centi metres
Overhang—202 centi metres (62.6%)
Wheel base—322.5 centi metres.

By order of the Governor,

P. Sankaran Nair,
Additional Secretary.

Explanatory Note

(This is not part of the notification but is intended to bring out its main purport)

The Director, Little Flower Hospital, Angamaly has requested Government to exempt the vehicle mentioned in the above notification from the provisions of sub-rule (2) of rule 268 of the Kerala Motor Vehicles Rules, 1961. Government have decided to grant the exemption sought for. Hence this notification.



GOVERNMENT OF KERALA

Health (D) Department

NOTIFICATION

G. O. (P) No. 82/82/HD. *Dated, Trivandrum, 17th April* 1982.

S. R. O. No. 645/82.—In exercise of the powers conferred by subsection (1) of section 2 of the Kerala Public Services Act, 1968 (19 of 1968), read with section 3 thereof, the Government of Kerala hereby make the following rules further to amend the Special Rules for the Kerala Indigenous Medicine Subordinate Service published under Notification G. O. (P) No. 9/ Public (Rules) Department dated the 17th January, 1967, in Part I of the Kerala Gazette No. 4 dated the 31st January, 1967, namely:—

Rules

1. *Short title and commencement.*—(a) These Rules may be called the Special Rules for the Kerala Indigenous Medicine Subordinate Service (Amendment) Rules, 1982.

(b) They shall come into force at once.

2. *Amendment to the Special Rules.*—In the Special Rules for the Kerala Indigenous Medicine Subordinate Service,—

(i) in rule 1, under 'Class II —Ayurveda College' under the sub-heading "B. Medical and Technical Staff in the Ayurveda Hospital and Ayurveda Pharmacy", for Category "2. Tutor/ Tutor-Store Keeper/Tutor (Marma)/Tutor (Visha)/ Tutor (Netra)/Tutor (Balachikilsa)" the following category shall be substituted, namely:—

"2. Demonstrator/Tutor/Tutor-Store Keeper/Tutor (Marma)/ Tutor (Visha)/Tutor (Netra)/Tutor (Balachikilsa)",

(ii) in rule 2, under "Class II", under the sub-heading "B. Medical and Technical Staff in the Ayurveda Hospital and Ayurveda Pharmacy", for category "2. Tutor/Tutor-Store Keeper/Tutor (Marma)/Tutor (Visha)/Tutor (Netra)/Tutor (Balachikilsa)", the following category shall be substituted, namely:—

"2. Demonstrator/Tutor/Tutor-Store Keeper/Tutor (Marma)/ Tutor (Visha)/Tutor (Netra)/Tutor (Balachikilsa)";

(iii) in the table under rule 4, under the heading "Class II" for the category "Tutor/Tutor-Store Keeper/Tutor (Marma)/Tutor (Visha)/Tutor (Netra)/Tutor (Balachikilsa)" in Column (1), the following shall be substituted, namely:—

"Demonstrator/Tutor/Tutor-Store Keeper/Tutor (Marma)/ Tutor(Visha)/Tutor (Netra)/Tutor (Balachikilsa)";

(iv) in the Annexure referred to in rule 5, under "Class II", under the sub-heading "B. Medical and Technical staff in the Ayurveda Hospital",—

(a) for the category "Tutor/Tutor-Store Keeper/Tutor (Marma)/Tutor (Visha)/Tutor (Netra)/Tutor (Balachikilsa)", in column (1), the following category shall be substituted, namely:—

"Demonstrator/Tutor/Tutor-StoreKeeper/Tutor(Marma)/ Tutor (Visha)/Tutor (Netra)/Tutor (Balachikilsa)";

(b) in Note (3) for the last sentence, the following sentence shall be substituted, namely:—
"Demonstrators and the Tutors selected for the general side also need not undergo the training".

By order of the Governor,
M.S.K. Ramaswami,
Special Secretary.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

Government have created certain posts of Demonstrators on Rs. 600-1100 in the Government Ayurveda Colleges for implementing the B.A.M.S. Course. The qualifications, methods of appointment etc. fixed for the posts of Tutors of Ayurveda Colleges in the Special Rules for the Kerala Indigenous Medicine Subordinate Service are proposed to be made applicable to the posts of Demonstrators also. This notification is intended to achieve the above object.

To

The Secretary, Kerala Public Service Commission, Trivandrum (with G.L.)

The Principal, Ayurveda College, Trivandrum/Trippunithura.

GOVERNMENT OF KERALA

Agriculture (Forest General) Department

NOTIFICATION

G. O. (Ms) No. 151/82/AD. *Dated, Trivandrum, 21st April* 1982.

S. R. O. No. 646/82.—In exercise of the powers conferred by section 61 C of the Kerala Forest Act, 1961 (4 of 1962) and in supersession of the Notification II issued under No. G.O.(P) 206/75/AD, dated the 3rd July, 1975 and published as S. R. O. No. 561/75 in the Kerala Gazette Extraordinary No. 349 dated the 7th July, 1975 and the Notification issued under G.O.(P) No. 248/78/AD. dated the 18th September, 1978 and published as S. R. O. No. 880/78 in the Kerala Gazette Extraordinary No. 594 dated the 20th September 1978, the Government of Kerala hereby authorise the Conservators of Forests, Southern Circle, Quilon, High Range Circle, Kottayam, Central Circle, Trichur, Northern Circle, Kozhikode and Vested Forests Circle, Kozhikode and the Field Director, Periyar, Wild Life Sanctuary under Tiger Projects as officers for the purposes of the said section.

By order of the Governor,

K. L. N. RAO,

Special Secretary.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport).

Section 61 C of Kerala Forest Act, 1961 as amended by the Kerala Forest (Amendment) Act, 1975 (28 of 1975) lays down that any Forest Officer not below the rank of Conservator of Forests authorised by the Government by notification in the Gazette may before the expiry of thirty days from the date of order of the authorised Officer under section 61 A Suo moto call for and examine the record of that order and may make such inquiry or cause such inquiry to be made and may pass such orders as he deems fit, provided that no order prejudicial to a person shall be passed under this section without giving him an opportunity of being heard. The Conservator of Forests have accordingly been authorised to exercise the powers in this behalf. The post of Conservator of Forests, Highrange Circle created by Government recently is a post equivalent to the status and responsibilities of Conservator of Forests. The Special Circle, Kozhikode has been renamed as Vested Forest Circle, Kozhikode. The post of Conservator of Forests, Evaluation Circle, Trivandrum has been upgraded

and named as Chief Conservator of Forests (Vigilance). The post of Conservator of Forests, Wild Life Circle, Trivandrum also has been upgraded and named as Chief Conservator of Forests (Wild Life). Rubber Plantation Circle, Punalur has been constituted as a Corporation and the Industrial Plantation Circle, Perumbavoor has been abolished. This notification is intended to effect necessary changes in the names of the above posts, and the names of the above Circles.



GOVERNMENT OF KERALA

General Education (J) Department

NOTIFICATION

G.O. (P) No. 43/82/G. Edn. *Dated, Trivandrum, 5th April* 1982.

S.R.O. No. 647/82.—In exercise of the powers conferred by section 36 of the Kerala Education Act, 1958 (6 of 1959), the Government of Kerala hereby make the following Rules further to amend the Kerala Education Rules, 1959, namely:—

RULES

1. *Short title and commencement.*—(1) These Rules may be called the Kerala Education (Amendment) Rules, 1982.

(2) It shall come into force at once.

2. *Amendment of the Rules.*—In the Kerala Education Rules, 1959, in Chapter XXV in rule 10, for the sentence "The applicants shall not be below 16 years of age or above 26 years of age on the first day of July of the year in which the notification inviting applications is published in the Gazettee", the sentence "The applicants shall possess the qualifications specified for selection on the date of application and shall not be below 16 years of age or above 26 years of age on the first day of July of the year in which the notification inviting applications is published in the Gazette" shall be substituted.

By order of the Governor,
P. NEELAKANTAN NAIR,
Additional Secretary.

Explanatory Note

(This does not form part of the notification but is intended to indicate its general purport).

The existing provision in the rules does not specifically state the date on which the candidates applying for admission to the Teachers Training Course should get themselves qualified. Government consider that the candidates applying for admission to the Teachers Training Course should possess the qualifications prescribed in Rule 10 Chapter XXV as on the date of application. Hence this amendment.

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Reg. No. KL/TV(N)/12



KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXVII] Trivandrum, Tuesday, 18th May 1982 / 28th Vaisakha 1904 (Saka) [No. 368

GOVERNMENT OF KERALA

Public Works (D) Department

NOTIFIGATION

No. 10172/D3/82/PW. *Dated, Trivandrum, 14th May 1982.*

S. R. O. No. 649/82.—Whereas in exercise of the powers conferred by clause (1) of the Article 258 of the Gonstitution of India the President has in notification No. 2/4/63/Judl. 11 dated 31-5-1963 entrusted the Government of Kerala, with their consent, the functions of the Central Government under the Kerala Land Acquisition Act, 1961 (21 of 1962) in relation to the acquisition of lands for the purpose of the Union in the State of Kerala;

And whereas, it appears to the Government of Kerala that the lands specified in the schedule below are needed or are likely to be needed for a public purpose, to wit for the formation of a new road from Kadapra to Veyyapuram under GRF works.

Now, therefore, notice to that effect is herehy given to all whom it may concern, in accordance with the provisions of subsection (1) of section 3 of the said Act.

Under subsection (4) of section 19 of the said Act, the Government direct that in view of the urgency of the case the provisions of section 5 of the Act shall not apply to this case.

33/1435/J.

SCHEDULE

District—Alleppey.

Taluk—Thiruvalla. *Villag*—Kizhakkumbhagam.

(The extent given is approximate)

Serial No.	*Survey No.*	*Description*	*Extent in* A.	*Sq. M.*
1	236/1	Dry	10	00
2	236/2	,,	5	00
3	236/3	,,	00	60
4	236/4	,,	00	50
5	236/5	,,	00	50
6	236/6	,,	01	00
7	236/7	,,	01	00
8	236/8	,,	01	00
9	235/6	,,	02	00
10	235/7	,,	03	00
11	235/8	,,	04	05
		Total	28	65

Explanatory Note

(This does not form part of the notification but is intended to indicate its general purport.)

It is necessary to acquire 28.65 ares of land comprised in Survey Nos. 236 and 235 of Kizhakkumbhagam village for the development of NH. The notification is intended to achieve the above purpose.

എസ്. ആർ. ഒ. നമ്പർ 649/82.—ഇൻഡ്യൻ ഭരണഘടന 258-ാം അനുച്ഛേദം, (1)ാം ഖണ്ഡംമൂലം നൽകപ്പെട്ട അധികാരങ്ങൾ വിനിയോഗിച്ച്, രാഷ്ട്രപതി, 31-5-1963-ലെ 2/4/63 ജുഡീഷ്യൽ II എന്ന നമ്പർ വിജ്ഞാപനപ്രകാരം കേരള സംസ്ഥാനത്ത്, യൂണിയന്റെ ആവശ്യത്തിനായി ഭൂമി വിലയ്ക്കെടുക്കുന്നതു സംബന്ധിച്ച്, 1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്ട് (1962-ലെ 21), അനുസരിച്ചുള്ള കേന്ദ്രസർക്കാരിന്റെ ചുമതലകൾ, കേരള സർക്കാരിനെ അവരുടെ സമ്മതത്തോടുകൂടി ഭരമേൽപ്പിച്ചിരിക്കുന്നതിനാലും;

താഴെ പട്ടികയിൽ പറഞ്ഞിട്ടുള്ള ഭൂമി ഒരു പൊതു ആവശ്യത്തിന് അതായത് സി. ആർ. എഫ്. ജോലികളിൻകീഴിൽ കടപ്ര മുതൽ വീയപുരം വരെ പുതുതായി ഒരു റോഡു നിർമ്മിക്കുന്നതിന് ആവശ്യമുണ്ടെന്നോ ആവശ്യമുണ്ടാകാനിടയുണ്ടെന്നോ കേരള സർക്കാരിന് തോന്നുന്നതിനാലും ;

ഇപ്പോൾ, അതിനാൽ, അതുസംബന്ധിച്ച നോട്ടീസ്, അതുമായി ബന്ധപ്പെട്ട എല്ലാപേർക്കും പ്രസ്തുത ആക്ററ് 3-ാം വകുപ്പു (1)-ാം ഉപവകുപ്പിലെ വ്യവസ്ഥകളനുസരിച്ച് ഇതിനാൽ നൽകുന്നു.

പ്രസ്തുത ആക്ട്, 19-ാം വകുപ്പ്. (4)-ാം ഉപവകുപ്പുപ്രകാരം, സംഗതിയുടെ അടിയന്തിരസ്വഭാവം പരിഗണിച്ച്, പ്രസ്തുത ആക്ട്, 5-ാംവകുപ്പിലെ വ്യവസ്ഥകൾ ഈ സംഗതിയിൽ ബാധകമാകുന്നതല്ലെന്ന് സർക്കാർ നിർദ്ദേശിക്കുകയും ചെയ്യുന്നു.

പട്ടിക

ജില്ല—ആലപ്പുഴ

താലൂക്ക്—തിരുവല്ല　　　　　വില്ലേജ്—കിഴക്കുംഭാഗം

(ഏകദേശ വിസ്തീർണ്ണമാണ് കൊടുത്തിട്ടുള്ളത്)

ക്രമനമ്പർ	സർവ്വേ നമ്പർ	വിവരണം	വിസ്തീർണ്ണം ആർ.	ച.മീ.
1	236/1	പുരയിടം	10	00
2	236/2	,,	5	00
3	236/3	,,	00	60
4	236/4	,,	00	50
5	236/5	,,	00	50
6	236/6	,,	01	00
7	236/7	,,	01	00
8	236/8	,,	01	00
9	235/6	,,	02	00
10	235/7	,,	03	00
11	235/8	,,	04	05
		ആകെ	28	65

വിശദീകരണക്കുറിപ്പ്

(ഇത് വിജ്ഞാപനത്തിന്റെ ഭാഗമല്ല. എന്നാൽ അതിന്റെ പൊതുഉദ്ദേശം വ്യക്തമാക്കുന്നതിനുദ്ദേശിച്ചുകൊണ്ടുള്ളതാണ്.)

നാഷണൽഹൈവേയുടെ വികസനത്തിലേക്കായി കിഴക്കുംഭാഗം വില്ലേജിലെ സർവ്വേനമ്പർ 236-ലും 235-ലും ഉൾപ്പെട്ട 28.65 ആർ ഭൂമി വിലയ്ക്കെടുക്കേണ്ടത് ആവശ്യമായിരിക്കുകയാണ്. മേൽപ്പറഞ്ഞ ആവശ്യത്തിനുദ്ദേശിച്ചുകൊണ്ടുള്ളതാണ് ഈ വിജ്ഞാപനം.

By order of the Governor,
T. SANKARAN,
Joint Secretary.

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS,
TRIVANDRUM. 1982.

Government of Kerala
1982



Reg. No. KL/TV(N)/12

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXVII] Trivandrum, Tuesday, 18th May 1982 / 28th Vaisakha 1904 (Saka) [No. 370

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport-B) Department

NOTIFICATION

No. 5553/TB2/82/TF & P. *Dated, Trivandrum, 14th May* 1982.

S.R.O. No. 651/82.—Whereas in exercise of the powers conferred by clause (1) of Article 258 of the Constitution of India, the President has in Notification No. 2/4/63/Judl. II dated 31-5-1963 entrusted the Government of Kerala with their consent, the functions of the Central Government under the Kerala Land Acquisition Act, 1961, (21 of 1962) in relation to the acquisition of land for the purpose of the Union in the State of Kerala;

And, whereas, it appears to the Government of Kerala that the land specified in the Schedule below is needed or is likely to be needed for a public purpose, to wit for the construction of a Go-axial station at Thodupuzha.

Now, therefore, notice to that effect is hereby given to all whom it may concern in accordance with the provisions of subsection (1) of section 3 of the said Act.

Under subsection (4) of section 19 of the said Act, the Government direct that in view of the urgency of the case, the provisions of section 5 of the Act shall not apply to this case.

33/1487/B.

SCHEDULE

District—Idukki. Taluk—Thodupuzha.

Village—Kumaramangalam.

(The extent given is approximate)

Survey No.—4/2 Part.
Description—Dry land.
Extent—0.1386 Hectare

Explanatory Note

(This is not part of the notification, but is intended to bring out the general purport.)

President of India has in Notification No. 2/4/63/Judl. II dated 1-5-1963 entrusted the Government of Kerala with their consent the powers to acquire land for the use of the Central Government in the State, and it appears to the State Government that the land mentioned in the schedule above is needed for a public purpose viz. for the construction of a Co-axial station.

This notification is intended for the above purpose.

എസ്. ആർ. ഒ. നമ്പർ 651/82.—ഇൻഡ്യൻ ഭരണഘടനയുടെ 258-ാം അനുച്ഛേദം (1)-ാം ഖണ്ഡംമൂലം നൽകപ്പെട്ട അധികാരങ്ങൾ വിനിയോഗിച്ച് ഇൻഡ്യൻ രാഷ്ട്രപതി 31-5-1963-ലെ 2/4/63 ജുഡീഷ്യൽ II എന്ന നമ്പർ വിജ്ഞാപനപ്രകാരം കേരള സംസ്ഥാനത്ത്, യൂണിയന്റെ ആവശ്യങ്ങൾക്കായി ഭൂമി വിലയ്ക്കെടുക്കുന്നതു സംബന്ധിച്ച്, 1961-ലെ കേരള സ്ഥലമെടുപ്പു ആക്റ്റ് (1962-ലെ 21) അനുസരിച്ച് കേന്ദ്ര സർക്കാരിന്റെ ചുമതലകൾ കേരള സർക്കാരിനെ അവരുടെ സമ്മതത്തോടുകൂടി ഭരമേൽപ്പിച്ചിരിക്കുന്നതിനാലും;

താഴെ പട്ടികയിൽ പറഞ്ഞിട്ടുള്ള സ്ഥലങ്ങൾ ഒരു പൊതുആവശ്യത്തിനായി അതായത് തൊടുപുഴയിൽ ഒരു കോ ആക്സിയൽ സ്റ്റേഷൻ നിർമ്മിക്കുന്നതിനു ആവശ്യമുണ്ടെന്നോ ആവശ്യമുണ്ടാകാനിടയുണ്ടെന്നോ കേരളസർക്കാരിനു ബോദ്ധ്യം വന്നിരിക്കുന്നതിനാലും;

ഇപ്പോൾ, അതിനാൽ, പ്രസ്തുത ആക്റ്റ് 3-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പിലെ വ്യവസ്ഥകളനുസരിച്ച് ബന്ധപ്പെട്ട എല്ലാപേർക്കും അതിനുള്ള നോട്ടീസ് ഇതിനാൽ നൽകുന്നു.

പ്രസ്തുത ആക്റ്റ് 19-ാം വകുപ്പ് (4)-ാം ഉപവകുപ്പു പ്രകാരം സംഗതിയുടെ അടിയന്തിര സ്വഭാവം പരിഗണിച്ച് പ്രസ്തുത ആക്റ്റ് 5-ാം വകുപ്പിലെ വ്യവസ്ഥകൾ ഈ സംഗതിക്ക് ബാധകമാകുന്നതല്ലെന്ന് കേരള സർക്കാർ നിർദ്ദേശിക്കുന്നു.

പട്ടിക

താലൂക്ക്—തൊടുപുഴ.

ജില്ല—ഇടുക്കി.

വില്ലേജ്—കുമാരമംഗലം.

(ഏകദേശ വിസ്തീർണ്ണമാണ് കൊടുത്തിരിക്കുന്നത്)

സർവ്വേ നമ്പർ—4/2.

വിവരണം—പുരയിടം.

വിസ്തീർണ്ണം—O. 1386 ഹെക്ടർ

<u>വിശദീകരണക്കുറിപ്പ്</u>

(ഇത് വിജ്ഞാപനത്തിന്റെ ഭാഗമല്ല. എന്നാൽ അതിന്റെ പൊതു ഉദ്ദേശം വെളിപ്പെടുത്തുന്നതിനുദ്ദേശിച്ചുകൊണ്ടുള്ളതാണ്).

ഇൻഡ്യൻ രാഷ്ട്രപതി 31-5-1963-ലെ 2/4/63/ജുഡീഷ്യൽ II എന്ന നമ്പർ വിജ്ഞാപനംമൂലം സംസ്ഥാനത്ത് കേന്ദ്ര സർക്കാരിന്റെ ആവശ്യത്തിലേക്കുസ്ഥലം വിലയ്ക്കെടുക്കാനുള്ള അധികാരം കേരള സർക്കാരിനെ അവരുടെ സമ്മതത്തോടുകൂടി ഭരമേൽപ്പിച്ചിട്ടുള്ളതും, മുകളിൽ പട്ടികയിൽ പറഞ്ഞിട്ടുള്ള സ്ഥലങ്ങൾ ഒരു പൊതുആവശ്യത്തിനു, അതായത് ഒരു കോആക്സിയൽ സ്റ്റേഷൻ നിർമ്മിക്കുന്നതിനു ആവശ്യമാണെന്ന് സർക്കാരിനു ബോദ്ധ്യപ്പെട്ടിട്ടുള്ളതുമാകുന്നു.

മേൽപ്പറഞ്ഞ ആവശ്യത്തിന് ഉദ്ദേശിച്ചുകൊണ്ടുള്ളതാണ് ഈ വിജ്ഞാപനം.

By order of the Governor,
P. SANKARAN NAIR,
Additional Secretary.

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS,
TRIVANDRUM, 1982.

Government of Kerala
[illegible]

Reg. No. KL/TV(N)/12



KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

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GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport-B) Department

WITHDRAWAL NOTIFICATION

No. 5759/TB2/81/TF & P. *Dated, Trivandrum, 27th April* 1982.

S.R.O. No. 650/82.—Under subsection (1) of section 52 of the Kerala Land Acquisition Act, 1961 (21 of 1962), the Government of Kerala hereby withdraw from the acquisition of the lands mentioned in the schedule hereto annexed in respect of which land acquisition proceedings were initiated by the issue of Notification No. 60937/TB2/76/PW dated the 29th October, 1976 under subsection (1) of section 3 thereof published at page 1 of part 1 of the Kerala Gazette dated the 23rd November, 1976 and the Declaration No. 12247/TB2/77/PW dated the 15th March, 1977 under section 6 of the said Act published at page 3 of Part I of the Kerala Gazette dated the 19th April, 1977.

SCHEDULE

District—Palghat.

Taluk—Palghat. Village—Polpully.

Amsom—Polpully.

Sl. No.	*Sy. No.*	*Description*	*Extent in Hectare*
1	112/7	O. D.	0.0460
2	113/8	S.G.W.	0.0405
			0.0865

33/1436/S

Explanatory Note

The Senior Superintendent of Post Offices, Palghat as per his letter No. M. 336/Alpha dated 18-12-1978 has informed that the acquisition proposals for the Post Office Building at Polpully has been cancelled. Hence the withdrawal from the acquisition of the lands shown in the notification is necessitated.

എസ്. ആർ. ഒ. നമ്പർ 650/82.—1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്ററ് (1962-ലെ 21), 52-ാം വകുപ്പ്, (1)-ാം ഉപവകുപ്പുപ്രകാരം, കേരള സർക്കാർ, ഇതോടു ചേർത്തിട്ടുള്ള പട്ടികയിൽ പറഞ്ഞിട്ടുള്ളതും, 1976 നവംബർ 23-ാം തീയതിയിലെ കേരള ഗസററ് 1-ാം ഭാഗം 1-ാം പേജിൽ പ്രസിദ്ധീകരിച്ച, പ്രസ്തുത ആക്ററ്, 3-ാം വകുപ്പ്, (1)-ാം ഉപവകുപ്പു പ്രകാരമുള്ള, 1976 ഒക്ടോബർ 29-ാം തീയതിയിലെ 60937/ററി.ബി2/76/പി. ഡബ്ലിയു എന്ന നമ്പർ വിജ്ഞാപനവും, 1977 ഏപ്രിൽ 19-ാം തീയതിയിലെ കേരള ഗസററ് 1-ാം ഭാഗം, 3-ാം പേജിൽ പ്രസിദ്ധീകരിച്ച പ്രസ്തുത ആക്ററ് 6-ാം വകുപ്പ് പ്രകാരമുള്ള 1977 മാർച്ച് 15-ാം തീയതിയിലെ 12247/ററിബി2/77/പി.ഡബ്ലിയു എന്ന നമ്പർ പ്രഖ്യാപനവും പുറപ്പെടുവിച്ചുകൊണ്ട് സ്ഥലമെടുപ്പു നടപടികൾ ആരംഭിച്ചിട്ടുള്ളതുമായ സ്ഥലം വിലയ്ക്കെടുക്കുന്നതിൽനിന്നും ഇതിനാൽ പിൻവാങ്ങുന്നു.

പട്ടിക

ജില്ല—പാലക്കാട്.

താലൂക്ക്—പാലക്കാട്. വില്ലേജ്—പൊൽപ്പുള്ളി.

അംശം—പൊൽപ്പുള്ളി.

ക്രമ നമ്പർ	സർവ്വേ നമ്പർ	വിവരണം	വിസ്തീർണ്ണം ഹെക്ടറിൽ
1	112/7	ഒ. ഡി.	0.0460
2	113/8	എസ്. സി. ഡബ്ലിയു.	0.0405
		ആകെ	0.0865

വിശദീകരണക്കുറിപ്പ്

പൊൽപ്പുള്ളി പോസ്ററാഫീസ് കെട്ടിടത്തിനുവേണ്ടിയുള്ള സ്ഥലമെടുപ്പു നിർദ്ദേശം റദ്ദു ചെയ്തിരിക്കുന്നതായി പാലക്കാട് പോസ്ററാഫീസുകളുടെ സീനിയർ സൂപ്രണ്ട് അദ്ദേഹത്തിന്റെ 18-12-1978-ലെ എം. 336/ ആൽഫാ എന്ന നമ്പർ കത്തു മുഖേന അറിയിച്ചിരുന്നു. ആകയാൽ വിജ്ഞാപനത്തിൽ പറഞ്ഞിട്ടുള്ള സ്ഥലം വിലയ്ക്കെടുക്കുന്നതിൽനിന്നും പിൻവാങ്ങേണ്ടത് ആവശ്യമായിത്തീർന്നിരിക്കുന്നു.

By order of the Governor,
P. Sankaran Nair,
Additional Secretary.

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